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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,218	11/30/2001	Felix Baum	032660-073	2557
<div>7590 12/27/2007</div> <div>Robert E. Krebs, Esq. BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, VA 22313-1404</div>				
			<div>EXAMINER</div> <div>NGUYEN, THANH T</div>	
			<div>ART UNIT</div> <div>2144</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE</div> <div>12/27/2007</div>	<div>DELIVERY MODE</div> <div>PAPER</div>

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Supplemental
Notice of Allowability**

Application No.

09/997,218

Examiner

Tammy T. Nguyen

Applicant(s)

BAUM, FELIX

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE August 1, 2007.
2. ☒ The allowed claim(s) is/are 1-3, 6-9, 11-19, 21-28 (New Claims 1-24).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other |


WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100



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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Chung S. Park (reg.52,039) on December 19, 2007.

3. The applicant has been amended as follow:

1. (Currently Amended) A computer-implemented method for rating media information by using a plurality of remotely located client units and a server connected to the client units via a network, each client unit being able to receive media information via a communication medium other than the network, comprising:
causing a user to view media information received by a client unit via the communication medium and displayed on the client unit;
transmitting to the client unit, via the network, indicator information enabling the client unit to display a rating indicator along with the media information to the user, to allow

the user to control the rating indicator and thereby to input as a function of time rating information of events occurring at particular times in the media information and to transmit the rating information to the server via the network;
receiving the rating information transmitted from the client unit and storing the received rating information in a database;
transmitting to the client unit, via the network, a query form for demographic data enabling the client unit to display the query form to a user, to allow the user to input the demographic data and to transmit the demographic data via the network, the demographic data including information relating to a plurality of profile categories;
receiving the demographic data transmitted from the client and storing the received demographic data in the database;
listing the user in at least one group characterized by one or more of the profile categories;
combining the stored rating information of each user listed in the group to determine an average rating of the group; and
displaying the average rating of the group as to the events as a function of time; further including: transmitting a time indication, via the network, to the client unit enabling the client unit to measure a time interval between the time indication and the time when the user inputs the rating information and to transmit information of the time interval along with the rating information via the network and wherein the time interval information is used to identify the event.

2. (Original) The method of Claim 1 wherein one of the profile categories is gender.
3. (Original) The method of Claim 1 wherein one of the profile categories is political

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party affiliation.

4-5. (Canceled)

6. (Previously Presented) The method of Claim 1, wherein the steps of listing, combining and displaying are performed by an analysis unit.

7. (Previously Presented) The method of Claim 6, further comprising the step of displaying the media information along with the average rating on a visual display device.

8. (Previously Presented) The method of Claim 1, wherein the steps of listing, combining and displaying are performed by the server.

9. (Previously Presented) The method of Claim 1, wherein the source of the media information transmitted through the communication medium is selected from the group consisting of a television station, a cable operator, a video player, a DVD player, a single-cast source, a multi-cast source and a broadcast source.

10. (Canceled)

11. (Previously Presented) The method of Claim 1 wherein the media information is obtained from a storage medium.

12. (Original) The method of Claim 1 wherein the network is the Internet.

13. (Previously Presented) The method of Claim 12 wherein the client units obtain web page information through the Internet.

14. (Previously Presented) The method of Claim 1 wherein the combining step includes weighting the stored rating information and thereby weighting the average rating.

15. (Previously Presented) The method of Claim 14 wherein weights are used to make the

average rating more accurately represent the rating of a target population.

16. (Previously Presented) The method of Claim [[16]] 15 wherein the target population is the general public.

17. (Previously Presented) The method of Claim 1 wherein an administrative application program connected to the server controls a data transmission rate at which the rating information is transmitted from the client units to the server.

18. (Previously Presented) The method of Claim 17 wherein the administrative application controls the data transmission rate by throttling the number of connections that reach the server per time period.

19. (Previously Presented) The method of Claim 1 wherein an administrative application program associated with the server controls the start time and end time of ratings collection.

20. (Canceled)

21. (Currently Amended) An apparatus for rating media information, comprising:
a plurality of client units, each including a video monitor for presenting, to a user, a rating indicator, media information and a query form for demographic data that includes information relating to a plurality of profile categories, each said client unit being operative to receive, via a network, indicator information to display the rating indicator, to receive, via a communication medium other than the network, the media information, and to receive, via the network, the query form, each said client unit being further adapted to allow the user to input as a function of time rating information of events occurring at particular times in the media information and the demographic data, and to transmit the rating information and the demographic data via the network to a server, the

rating indicator indicating the user's rating of the events in the media information;
a server connected to the client units via the network and operative to send the indicator information and the query form to the client units, to receive, via the network, the rating information and the demographic data transmitted from the client units, and to store the rating information and the demographic data in a database;
an analysis unit associated with the server and having access to the demographic data and the rating information stored in the database, the analysis unit being adapted to list the user in at least one group characterized by one or more of the profile categories and to combine the rating information of each user listed in the group to determine an average rating of the group; and
a display for displaying the average rating of the group as to the events as a function of time;
wherein the server is further operative to send a time indication, via the network, to each of the client units enabling each of the client units to measure a time interval between the time indication and the time when the user inputs the rating information and to transmit information of the time interval along with the rating information via the network and wherein the time interval information is used to identify the event.

22. (Previously Presented) The apparatus of Claim 21 wherein the rating information stored in the database is weighted by the analysis unit.

23. (Previously Presented) The apparatus of Claim 21 wherein the network is the Internet.

24. (Previously Presented) The method of Claim 23 wherein the server provides web page information to the client units Via the network.

25. (Previously Presented) The method of Claim 24 wherein the web page information

includes an application program that is executable at the client units.

26. (Previously Presented) The method of Claim 25 wherein the application program controls the storing and caching of the rating information in the client units, as well as the transmitting of the rating information to the server via the network.

27. (Previously Presented) The method of Claim 21 wherein the source of the media information transmitted through the communication medium is selected from the group consisting of a television station, a cable operator, a video player, a DVD player, a single-cast source, a multi-cast source and a broadcast source.

28. (Previously Presented) The method of Claim 21 wherein the analysis unit is adapted to produce a display of the average rating and the media information.

29-45. (Canceled)

4. The following is an examiner's statement of reasons for allowance:

In interpreting the claims, in light of the specification and the applicant's arguments filed on August 1, 2007 the examiner finds the claimed invention to be patentably distinct from the prior art of record.

5. Bowman-Amuah, Michel (6697824)., teaches a system and method are provided for interacting with a user over a network for personalizing a website. A user is identified and information about the user is collected. A profile of the user is built based on the collected information and a plurality of different contents are managed. The profile and the contents are analyzed in order to match attributes of the profile of the user and attributes of the contents. The user is allowed to manually select which of the delivered

contents are depicted on a display. The user is also allowed to selectively position the delivered contents on the display.

6. Thomas et al., (Pub No. 20050251824), teaches a program guide system is provided in which interactive television program guide advertisement usage is monitored. Advertisement usage information may also be monitored by monitoring when advertisements are received by the user television equipment. Advertisement usage information may also be monitored at the time at which advertisements are displayed by a program guide. Less important data may be filtered from the collected advertisement usage data.

7. Thompson et al., (Pub No. 20030014320), teaches a method of promoting a recording, including the steps of creating a rough mix of a recording, digitizing the rough mix, and inputting the digitized rough mix to a web site. The web site is accessible so as to download the rough mix to an individual consumer. The individual consumer can order the recording subsequent to the step of accessing by ordering from an on-line retailer or by ordering through the web site.

8. However, the prior art of record fails to teach or suggest individually or in combination that A computer-implemented method for rating media information by using a plurality of remotely located client units and a server connected to the client units via a network, each client unit being able to receive media information via a communication medium other than the network, comprising: causing a user to view media information received by a client unit via the communication medium and displayed on the client unit; transmitting to the client unit, via the network, indicator information enabling the client

unit to display a rating indicator along with the media information to the user, to allow the user to control the rating indicator and thereby to input as a function of time rating information of events occurring at particular times in the media information and to transmit the rating information to the server via the network; receiving the rating information transmitted from the client unit and storing the received rating information in a database; transmitting to the client unit, via the network, a query form for demographic data enabling the client unit to display the query form to a user, to allow the user to input the demographic data and to transmit the demographic data via the network, the demographic data including information relating to a plurality of profile categories; receiving the demographic data transmitted from the client and storing the received demographic data in the database; listing the user in at least one group characterized by one or more of the profile categories; combining the stored rating information of each user listed in the group to determine an average rating of the group; and displaying the average rating of the group as to the events as a function of time; further including: transmitting a time indication, via the network, to the client unit enabling the client unit to measure a time interval between the time indication and the time when the user inputs the rating information and to transmit information of the time interval along with the rating information via the network and wherein the time interval information is used to identify the event as set forth in independent claims 1, and 21. Claims 2, 3, 6-9, 11-19, and 22-28 are allowed because of the combination of other limitations and the limitation listed above.

9. The examiner finds the Applicant's arguments on pages 10-19 of the Remarks filed on August 1, 2007 to be persuasive. The applicant argued in substance that the combination of prior art of record fail to disclose the feature of the invention.

10. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Examiner's Amendment".

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammy T. Nguyen whose telephone number is 571-272-3929. The examiner can normally be reached on Monday - Friday 8:30 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *William Vaughn* can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

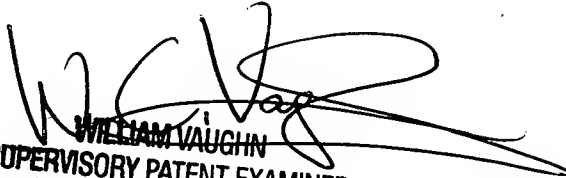
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Customer Service Representative or access to the automated information system, call

800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DN

December 20, 2007


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